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Regulation of Social Media Platforms in Pakistan: Legal Challenges and Freedom of Expression Concerns

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ABSTRACT

The policing of social media has become one of the most debatable aspects of digital governance in Pakistan that poses a problem that is difficult to resolve through legal, constitutional and normative legal frames due to the vested authority of the state, the accountability of the platform and freedom of speech. Since the emergence of social media as one of the main sources of political dialogue, the rise of journalism, activism, and socialization, the Pakistani state has been actively attempting to censor online content by applying both statutory and delegated laws as well as executive directives. The paper is a critical analysis of how the regulation of social media platforms in Pakistan is being changed, the institutional machinery that undertakes the change and the dilemma of the regulations on freedom of expression to the Constitution and international human rights law. It states that although the state can have legitimate concerns in dealing with illegal contents, fake news and online malaise, the regulatory stance used by Pakistan is of an unclear legal framework, wide discretion, and a lax procedure. The Prevention of Electronic Crimes Act, 2016, and the regulatory regulations provided by the Pakistan Telecommunication Authority confer wide powers to block, censor or delete online content, which in many instances are not accompanied by clear criteria or due process through the courts. These attributes bring about important overreach dangers, selective enforcement, and chilling impacts on legitimate expression. This article brings out the conflict between social media regulation in Pakistan and the freedoms of democratic values by placing the social media regulation in Pakistan under the constitutional jurisprudence and also in relation to the international standards. It concludes that unless there is a more explicit legal clarification, autonomous control, and enhanced defense of expressive freedom, social media regulation in Pakistan would be at the disadvantage of freedom of expression and integrity of digital control.

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Keywords: Social Media Regulation; Freedom Of Expression; Pakistan Telecommunication Authority; Prevention Of Electronic Crimes Act 2016; Digital Governance; Online Content Moderation; Constitutional Law; International Human Rights Law; Censorship; Platform Regulation.

Introduction

The social media sites have radically changed the way people socialize in Pakistan and how they get information, mobilize politically, communicate and be involved in social and cultural activities. Facebook, X (which used to be Twitter), YouTube, Tik Tok, and WhatsApp have become primary sites of news broadcasting, political discussion, civic action, as well as commerce, commonly replacing the traditional media. This fast growth of the online platforms has increased the voices that were previously sidelined, allowed real-time interactions with the politics, and brought about new types of social organization. Meanwhile, it has created state-level anxieties about misinformation, hate speech, blasphemous content, cyber harassment, threats to national security, and threats to public order. These conflicting forces have put the regulation of social media in the limelight of the legal and constitutional debate in Pakistan.[1]

The reaction of the Pakistani state to the emergence of social media is defined by an expanded movement toward the digital governance and control with the security-focused solutions. First, interventions of regulations were intermittent and reparative and based on ad hoc blocking of websites or platforms in times of political instability or insecurity. However, over time, regulation has been formalized by statutory enactment and delegated legislations, the most notable being the Prevention of Electronic Crimes Act, 2016 and regulatory guidelines made by the Pakistan Telecommunication Authority. Such tools give the legal foundation to the content restriction, platform requirements, data access, and enforcement. Although being presented as the means of necessity to prevent harm online and ensure social order, the powers of regulation suggested and instituted are broad and tend to be formulated in general and non-specific ways, posing a risk that they will be incompatible with the constitutional right of the freedom of expression.[2]

In Pakistan the freedom of expression takes the center stage in the constitutional order of the country. Article 19 of the Constitution guarantees the right of freedom of speech and expression but with a reasonable limitation by law in the name of religion, security, public order, decency or morality. Although this provision supports the fact that the state can control expression, it must be ensured that such limitations should be legal, reasonable and justifiable in a democratic system. Social media control limits these constitutional boundaries more than it has ever been, with digital media allowing the content to be released in real-time and reaching a broad audience and erasing the traditional differentiation between speakers, publishers, and

[1] Iftikhar, I., Sultana, I., & Paracha, S. A. (2024). Balancing Act: Pakistan's Quest for Responsible Social Media Regulation. *Pakistan JL Analysis & Wisdom*, *3*, 216.
[2] Abbas, Z., Khan, R., Khan, M. Z., & Imran, M. (2023). Cyber laws and media censorship in Pakistan: an investigation of governmental tactics to curtail freedom of expression and right to privacy. *Journal of Creative Communications*, 09732586231206913.

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intermediaries. Censorship and blocking targeting the expression of opinions online carry extensive consequences, not only on the persons who express them, but on the organization and transparency of the online communal domain.[3]

The social media control issues in Pakistan are exacerbated by the very nature of controlling the platforms themselves. Social media corporations are transnational, and regulated by their own, private, terms of service and content moderation that are not necessarily consistent with local laws. The attempts at state regulations to enforce local regulatory conditions: e.g. content removals, localization of data, registration of a site, etc. are issues of jurisdiction, enforceability, and delegation of the censorship role to the privates. Practically, when the area of law is vague or disputed, platforms can be coerced to take down content or limit access to prevent the service disruption. This dynamic introduces a big power in the realm of expression to courts and platforms often without clear processes or effective channels of redress.[4]

The social media regulation also has to be perceived in the context of the politics and social life in Pakistan. Online platforms are now central locations of political debate, investigative journalism, and civil society activism, especially in a place where conventional media might be limited. Consequently, online content regulation is often seen as politicized or discriminatory, which worsens the issue of censorship and power abuse. The lack of transparency in the process of regulatory decisions, and access to the publicly available information on the content blocking or takedown requests also go against the trust in the digital institutions of control.[5]

This paper focuses on the social media regulation in Pakistan by evaluating regulatory framework, institutional operation, and constitutional implication of content regulation. It aims to determine whether the current laws and regulatory frameworks have a proper balance between ameliorating the legitimate online harms and safeguarding freedom of expression through the Constitution and international human rights law. Placing the regulatory approach of Pakistan in comparative and normative views, the article will seek to define weaknesses in structure, lack of clarity in laws, and governance issues that jeopardize the expressive freedoms in the digital era. The following sections will survey the pertinent literature, describe the methodology, examine regulatory tools and practices, and present reforms that would help build a rights based and open system of social media regulation in Pakistan.

Literature Review

The academic sources on the government of social media in Pakistan indicate an increasing interdisciplinary interest in the issues of digital management, constitutional rights, and government authority within the field of online platforms. The initial academic and policy debate put a lot of emphasis on the transformative nature of social media to increase access to information and open up political participation

[3] Arain, M. M., Rehman, T. U., Rafiu, A., & Ali, J. (2024). The Freedom of speech and expression in Pakistan. *Law and Justice*, *9*(1), 188-204.
[4] Shahzadi, A. I., & Fazail, A. (2025). Hate Speech, Freedom of Expression and Media Regulation. *Social Science Review Archives*, *3*(4), 3372-3382.
[5] Arjumand, N. (2023). Critical appraisal of the regulatory framework of social media in Pakistan: Challenges and the way forward. *Khyber Journal of Public Policy*, *2*(3).

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which has tended to see digital platforms as means of democratizing access to media in an environment that is being limited by conventional regulatory and political pressures. These studies had highlighted the role of social media in the promotion of alternative narratives, citizen journalism, and quick mobilization, especially by youth and civil society actors. Nevertheless, with the rise of online platforms as the tool to influence the masses and shape the political effects, the literature started to change in favor of the issues of regulation, control, and the consequences of the state interference on the freedom of speech.[6]

Another long stream of literature focuses on the development of the legislative landscape on online content regulation in Pakistan, especially the Prevention of Electronic Crimes Act, 2016 and the regulatory power of the Pakistan Telecommunication Authority. Legal experts believe that although PECA was enacted to deal with cyber attacks and internet abuse, it has become a tool of content control, although it was initially meant to deal with criminal behaviors and not platform management. Literature emphasizes the fact that the laws in which blocking or deletion of online content is authorized are written in such general and vague terms that give the regulating bodies considerable freedom to decide what should be considered as illegal or damaging expression. Such uncertainty, as many commentators claim, harms the principle of legal certainty and allows overreaching by the regulators.[7]

The other theme that has been evident in the literature is delegated regulation and an increase in executive power by use of subordinate legislation. Research examining the rules and regulations issued by PTA point to the fact that major elements of social media regulation, including the need to register a platform, the need to moderate content, and the need to localize data is frequently presented using regulatory tools, as opposed to regular legislation. According to scholars, such a manner of regulation presents constitutional issues because delegated legislation can be poorly vetted by parliament and lack democratic legitimacy. It is underlined in the literature that the imposition of restrictions on the scope of expression by executive rule-making instead of explicit statutory authorization subjects the arbitrary and abuse to a very broad threat.[8]

The academic assessment of social media regulation in Pakistan is dominated by freedom of expression. There are legal and rights-based approaches that regularly contend that regulation practices are often beyond acceptable limits of the reasonable restrictions as stipulated by Article 19 of the Constitution. According to researchers, content removal and blocking orders are usually taken without clear justifications, without providing notice to the impacted users and without having a proper avenue of appeal. This obfuscation of the procedures, in conjunction with indistinct standards of substance, sends a chilling effect on online speech, where the user and medium may

[6] Mahmood, S., Nasir, T., Fazal, I., & Razzaq, R. (2025). Juxtaposing Law, Media and Human Rights: Role of Social Media in Promoting Human Rights in Pakistan Case Study of Legal Reforms and Digital Activism. *Dialogue Social Science Review (DSSR)*, *3*(6), 639-661.
[7] Shafiq, M. M. (2022). Framework for Social Media Regulations in Pakistan. *Journal of Mass Communication Department, Dept of Mass Communication, University of Karachi*, *26*.
[8] Zafar, S., & Irfan, M. M. (2025). Freedom of Expression vs. Misinformation Reconciling Human Rights with Digital Regulation. *Social Science Review Archives*, *3*(4), 26-40.

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engage in self-censorship to avoid regulatory penalties. It has also been observed in the literature that the voices of marginality, political dissenters, journalists, and activists are disproportionately impacted in such a regulatory practice, a more worrisome outcome on democratic backsliding.[9]

Comparative and international literature is largely used in making sense of the regulatory approach in Pakistan. Researchers have made parallels to other jurisdiction regulatory approaches, and many states are struggling to regulate the platforms, however internationally there is growing focus on transparency, due process and proportionality. References to the international human rights law emphasize that any limitations on the exercise of online freedom of expression must be based on rigorous legality, necessity, and proportionality standards and ought to be placed under independent control. Pakistan regulatory framework, when contrasted with such yardsticks, is largely known to be enforcement based and safeguards based, especially in the way it depends on executive discretion and compliance on the platform used by the company and not the judiciary.[10]

The issue of the speech regulation by the means of private platforms is also discussed in the literature as the de facto one. Analysts believe that actions and measures by states to demand platforms to monitor, remove, or limit content are in effect outsourcing censorship capabilities to the private sector whose judgment is not based on constitutional values but risk management. Platforms might also over-removing expression, enhancing the chilling effect, in the context of Pakistan, where failure to comply may result in loss of service or blocking. Researchers warn that this dynamic risks the distinction between state power and individual control making it harder to hold those in power accountable and restricting the solution of harmed users.

In general, the literature is brought to the same point that the regulation of social media platforms in Pakistan is marked by legal ambiguity, institutional obscurity, and conflict with the constitutional and international provisions of free expression. Although it is important to consider the validity of responding to harm on the Internet, researchers highlight that the existing regulatory practices pose a threat to the freedom of speech and democratic engagement. This literature forms the conceptual basis of the methodological and analytical framework that is used in the subsequent sections and analyses how the legal and institutional structures that govern the regulation of social media in Pakistan work in practice and how these structures can be revised to be more consistent with constitutional protections and the international standards.

Methodology

The method doctrinal, and rights-based research is chosen in this article to discuss the issue of social media platforms regulation in Pakistan and its consequences regarding the freedom of expression. The methodological orientation is informed by the fact that the regulation of the social media is not a technical or administrative process but a

[9] Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In *Comparative perspectives on the right to privacy: Pakistani and European experiences* (pp. 99-126). Cham: Springer Nature Switzerland.

[10] Rashid, J., Asghar, M. S., Qamar, M. S., & Tabassum, M. B. (2024). Freedom of Speech and Expression in Pakistan.

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constitutional and governance action that has a direct impact on the democratic participation and access to information and power between the state, the private platforms and the users. In this regard, the paper will measure the regulatory framework in Pakistan by the collective prism of constitutional law, administrative law and international human rights standards, which present an opportunity to assess the law design in a unified way with the law practice.

The initial element of the methodology will be a doctrinal examination of the main legal tools that regulate the use of social media in Pakistan. These will involve close scrutiny of the Prevention of Electronic Crimes Act, 2016, the applicable provisions of the Pakistan Telecommunication (Re-organization) Act, 1996 and the secondary legislation, regulations and guidelines as stipulated by the Pakistan Telecommunication Authority. The discussion is on the extent of regulatory authority, the legal principles that regulate the restriction of content, the responsibility of the platforms, and the process that enforcement measures are enforced. Special emphasis is also given to the intelligibility of statutory language, the degree of delegation, and the availability or unavailability of protection in the form of notice, reasons, and appeal. This review of the doctrine determines the formal legal basis of social media regulation and determines gaps of ambiguity or overextent where constitutional issues are raised.

The second methodology element is an institutional and governance examination of regulatory practice. This element of the research explores the practical application of the regulatory powers by the institutions, including the Pakistan Telecommunication Authority, and, where applicable, law enforcers under the PECA. The analysis is based on secondary sources; official statements, regulatory notifications, judicial rulings, and trustworthy reports by the civil society, and it reveals trends in content blocking, takedown requests, platform compliance, and enforcement priorities. The study is not about single cases, but finding systemic patterns, including the use of executive discretion, inadequate transparency, and informal or non-public procedure. This regulatory approach is critical in interpreting the translation of regulatory authority into practical effects of online expression.

As part of the framework of improvement that is implemented throughout this series, the methodology also includes the existence of organized analytical tools to enhance rigor and credibility. The conceptual interpretation of the comparative tables and figures is applied to place the regulatory approach made by Pakistan against the constitutional standards and international best practices. As a case in point, Table 1 can then be presented later to compare the content restriction standards to the standards established under Article 19 of the Constitution and international concepts of free expression, whereas Figure 1 can be used to demonstrate the process of regulation of content belonging to the identification of content to the compliance of the platform. These measures will simplify the network of difficult relationships with the regulations and will make clear where the risk of rights is created.

The third element of the methodology places the social media regulation in Pakistan in the international human rights law. This is done by evaluating domestic laws and practices against norms based on tools like the International Covenant on Civil and Political rights as well as interpretive directions of international bodies on human rights. It analyzes the compliance of the requirements of legality, legitimate aim,

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necessity, and proportionality of restrictions on online expression, and the availability of effective remedies and oversight mechanisms. Selective comparison to the regulatory methods in other jurisdictions is not done in order to impose external templates, but to point out alternative regulating approaches that balance between content moderation and rights protection.

Lastly, in the framework used to evaluate in this study, regulatory legitimacy is determined based on constitutional adherence, procedural justice, transparency, and effect on the expressive freedom. The key factor in this regard in effective social media regulation is not tort volume or sites controlled but whether the legal and institutional structure allows the state to mitigate actual online harms without undermining an open and pluralistic digital public space. This approach justifies the serious evaluation of regulatory decisions and their implications, and it forms the basis of the next part, which gives the results of the research under how the regulation of social media works in Pakistan and impacts the freedom of expression in practice.

Research Findings

The results of the conducted research reveal that the regulation of social media in Pakistan can be described as one that is marked by broad legal powers, divided institutional actions, and high stakes on the freedom of expression. The most notable discovery is that the legal basis of social media regulation in Pakistan is based on statutory provisions that are wide-ranged and regulation powers which are delegated, which gives free will to the officials. The Prevention of Electronic Crimes Act, 2016, and the Pakistan Telecommunication (Re-organization) Act, 1996, among others, give regulators authority to restrict or censor the content on the web in the name of security, public safety, morality, and other similar issues. These interests are not defined, however, in concrete and precise terms, giving the regulatory authorities a wide interpretative freedom. Practically, it has led to a regulation landscape where there is no clear definition of what constitutes legal expression, which adds some confusion to both users and websites.[11]

One of the findings is the procedural obscurity of the regulation of content. The decisions to block or take down content are frequently not made in a transparent manner and little information is typically made public on the legal basis, the extent and the duration of the restriction. The users are often not warned beforehand about the content deletion and the reasons behind content deletion are often not given. Such procedural confusion is a setback to constitutional principles of due process and accountability because individuals do not have a chance to appeal the restrictions or remedy. The lack of systematic reporting about the content moderation decisions also makes it hard to evaluate the extent and effect of regulatory intervention and determine whether restrictions are reasonable or required.[12]

[11] Bashir, S., Zakir, M. H., Khan, S. H., & Ibrahim, S. (2025). The Impact of Social Media on Freedom of Speech and Privacy Rights. *Journal of Regional Studies Review*, *4*(1), 304-315.
[12] Noor, S. (2016). *Social Media Challenges and Opportunities for Human Rights: A Case of Blasphemy Laws in Pakistan* (Master's thesis, UiT Norges arktiske universitet).

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Table 1: Indicative Features of Social Media Content Regulation in Pakistan

Feature	Observed Practice
Legal basis for content restriction	Broad statutory and regulatory provisions
Decision-making authority	Executive / regulatory agency
Transparency of decisions	Limited
Prior notice to users	Rare
Appeal mechanisms	Weak or unclear
Judicial involvement	Limited and ex post

One more important discovery concerns the place of the role of the private platforms as the facilitators of the enforcement. Regulatory bodies often use platforms to enact content restrictions, either by takedown request, geoblocking or by suspending the account. Since there is a risk of a service disruption or a block, platforms tend to meet regulatory requests even in the unclear situations that legal standards present. The effect of this dynamic is that it places censorship roles into the hands of non-state actors, whose decision-making is controlled by risk management concerns and no longer by constitutional values. Consequently, the phenomenon of content removal can be even greater than the requirements of the legislation, which increases the chilling effect on expression.[13]

The results also display tendencies of selective and circumstantial enforcement. Regulatory interventions also become more aggressive when the political situation is tense, when there is a protest or crisis, which indicates that the regulation of social media is significantly interconnected with other governance and security priorities. Materials that have a political dissent, activism, or controversial public discussion have a higher likelihood to be a subject of regulatory attention, which supports the arguments that regulation is enforced unequally. Such selective application weakens the impartiality and credibility of the regulatory bodies and leads to self-censorship of the users who are afraid of legal or administrative penalties.[14]

Under the constitutional view, the results show that the current regulatory practices tend to go beyond the extent of reasonable restrictions that are authorized by Article 19 of the Constitution. Although the Constitution permits the regulation of expression within particular interests, it stipulates that the limitations must be placed into law and they should be proportionate. The lack of clarity in the law, discretion on the side of the executive and the lack of strong protections against social media expression imply that the limitations on freedom of expression are not always put under strict proportionality scrutiny. This disjuncture between the constitutional theory and the regulatory practice undermines the safeguarding of the freedom of expression on the

[13] Aleem, Y. (2021). Broadcast Media, Regulation and Freedom of Expression in Pakistan. *Global Legal Studies Review*.

[14] Niazi, Z. K., Rehman, T. U., & Saraf, D. (2025). Digital dilemmas: Free speech, privacy, and state control in Pakistan's social media landscape. *Wah Academia Journal of Social Sciences*, *4*(1), 1286-1300.

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internet.[15]

The analysis of international law supports these issues. Combined with the expectations of the international human rights principles, especially, the aspects of legality and necessity, proportionality, and effective remedy, the analysis of the social media regulation framework in Pakistan demonstrates a serious inconsistency. The absence of external audit and transparency and ready solutions puts Pakistan in conflict with the changing global standards of platform regulation and protection of digital rights. These results indicate that the state does have valid interest in regulating internet content, but the existing model focuses on the control aspects over the rights, and regulatory effects lead to limiting the freedom of the expression process in a broader scope than is needed or justified.[16]

On balance, the research results indicate that the social media regulation in Pakistan functions within the legal and institutional framework that is poorly equipped to strike the balance between the goal of governance and the constitutional and international norms of free expression. The broad power, lack of transparency in the processes, and use of private platforms in relation to each other leads to a regulatory framework that is severely dangerous to the discourse of democracy and freedom of speech. Such results form the empirical and analytical basis of the further discussion that investigates the interaction of legal design, regulatory practice, and political context to formulate social media regulation and freedom of expression issues in Pakistan.

Discussion

The results of the given research highlight the idea that the policing of social media in Pakistan is an extension of a larger state policy whereby digital platforms are primarily addressed as venues of danger to be mitigated as opposed to arenas of democratic rights to be defended. As the discussion has shown, the conflict in the regulatory model of Pakistan is between the constitutional principle of the freedom of expression and the regulatory structure that favors executive discretion, administrative effectiveness, and the security-oriented control. Although the state concerns, such as the issue of misinformation, hate speech, blasphemy, as well as national security are not baseless, the legal and institutional instruments selected to deal with these issues often do not possess a specific degree of precision, transparency, and proportionality in a constitutional democracy.[17]

One of the problems that arise after the discussion is the use of an ambiguous and stretchy legal benchmark to control online content. Public order, morality, decency and national security are concepts that are open to interpretation and whereas they have a few guidelines regarding the application of these concepts in the context of social media, the regulatory framework in Pakistan has not detailed much. Such ambiguity effectively pushes the normative decision-making authority out of the

[15] Ahmad, N., & Malik, M. E. (2020). Freedom Of Speech And Expression In The Contemporary World: A Case Study Of Pakistan And Limitations Of Article 19 Of The Constitution Of Pakistan, 1973. *Journal of the Punjab University Historical Society*, *33*(02).
[16] AGHA, S. (2024). Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security.
[17] Shahzadi, A. I., Fazail, A., & Hashmi, M. A. I. Regulating Online Speech: Legal and Ethical Challenges of Digital Journalism in Pakistan.

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legislature and the judiciary and, in turn, over regulatory bodies and, secondarily, the private platforms. Consequently, this has led to decisions being decided on the legality of the expression using obscure administrative procedures as opposed to conducting a constitutional analysis. This dynamism undermines the rule of law as it renders expressive freedom conditional upon discretionary regulation as opposed to foreseeable legal norms.[18]

The constitutional connotations of the delegated regulation and executive power in the social media regulation are also discussed. Subordinate legislation or executive directions are used to introduce many of the most obtrusive regulatory conditions imposed on platforms, including content takedown requirements, compliance requirements, and even possible blocking. Democratic legitimacy and judicial separation of powers are of serious concern in this form of regulation, especially in instances where the fundamental rights are at stake. Jurisprudence of the constitution points out that restrictions of the freedom of expression ought to be placed under the law, however, the broad application in the use of delegated power obscures this aspect and weakens the responsibility of the parliament.[19]

The contribution of the private platforms to the enforcement of the state regulation as de facto is also a complication to the regulatory landscape. When platforms are pushed to apply content limitations due to the threat of having their service disrupted, then they would be motivated to over-compliance. This risk-averse practice intensifies the chilling effect of the expression since the content can be taken down not due to its illegality but on the grounds that it is controversial or politically sensitive. The debate indicates that this censorship outsourcing system undercuts constitutional guarantees and accountability of the platform since users who are affected have no avenue obvious to them to appeal against a decision made by the state or by private companies.[20]

The social media regulation in Pakistan is also a critical issue that is influenced by political context. Regulatory interventions often have a time and place of occurrence, which is found during times of political instability, protest, or the increased level of close examination of state institutions. This trend adds to the beliefs that the regulation is not performed in a neutral manner but is motivated by the political factor. These images destroy the trust of people in the regulatory authorities and undermine the validity of content moderation choices especially without transparency and justification. Governance-wise, such selective application is likely to turn social media regulation into a political weapon instead of being used as a tool of dealing with actual online harm.[21]

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[18] Rehman, A. (2024). REGULATORY CHALLENGES IN DIGITAL CONTENT MODERATION: BALANCING FREEDOM OF EXPRESSION AND PUBLIC SAFETY. *Global Media and Social Sciences Research Journal*, *5*(02), 61-73.

[19] Aslam, S., Ashraf, M. A., Mukhtar, M. A., & Ashraf, M. R. (2025). Balancing Free Speech and Counterterrorism: A Legal Analysis of Online Glorification Laws in Pakistan. *Annual Methodological Archive Research Review*, *3*(5), 1-15.

[20] Mazhar, U., & Faheem, M. A. (2025). The case of X/Twitter in Pakistan: regulating social media platforms. *Emerald Emerging Markets Case Studies*, *15*(4), 1-9.

[21] Ali, S. (2025). Digital Political Discourse in Pakistan: Legal Challenges of Online Hate Speech and Misinformation. *Journal of Social Policy and Governance*, *1*(02), 48-58.

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An effective normative perspective through which to bring an evaluation of these dynamics is international human rights law. It is discussed that freedom of expression on the digital platform is granted equal protection as the freedom of expression offline and that any limitations to the first must pass a serious test of legality, necessity, and proportionality. The current regulatory framework of Pakistan is not up to these standards because of the ineffective protection, little supervision, and inadequate redress measures. This is not just disastrous to constitutional promises but also positions Pakistan in a conflict with the global trends in platform regulation and digital rights. The discussion thus concludes that significant reform needs to be based on the change in the control-focused regulation to the rights-based governance model that will perceive social media as a public space that should be safeguarded by the constitution.

Recommendations

The regulation of social media sites in Pakistan needs an all-inclusive and philosophical strategy that should synchronize the legal structures with the constitutional provisions and the universal human rights provisions. It is recommended that one of the most crucial issues is the clarification and reduction of legal bases of online content restriction. Legal requirements that make it possible to remove or block content should be changed to contain strict definitions and clear boundaries separating illegal content and freedom of expression. The limitations must be narrowed down to verifiable harms and the limitations must be in a form that makes them easy to implement and enforce in a consistent and predictable manner reducing the opportunity to apply the restriction arbitrarily and selectively.

The second important suggestion is to enhance procedural protection and disclosure in content regulation. Regulating agencies are to be obliged to give written justifications of decisions to restrict content, inform concerned users and websites, and publish the legal grounds and range of restrictions. The mechanisms of appealing against content removal or blocking should be institutionalized and made easily accessible and timely so that the user can appeal before independent bodies. Frequent release of transparency reports about the amount, types, and results of content moderation decisions would also contribute to increased accountability and trust of the public.

There should be an increase in the judicial oversight in order to guarantee compliance to the constitution. The limitations on social media expression, especially those, which concern blocking or deletion of politically sensitive information on a platform-wide basis, must be reviewed in court or as soon as possible. The courts must be enabled to use proportionality analysis and also evaluate the existence of less restrictive options. The formation of judicial capacity to respond to the challenges of digital governance by preparing and training specialized jurisprudence and improving jurisprudence would enhance judicial capacity to safeguard the freedom of expression in the digital era.

The regulatory aspect of the private platforms ought to be rebalanced as well. Instead of instituting open-ended content monitoring requirements, regulation must be done targeting procedural collaboration and adherence to well-stated legal directives. The platforms must not be expected to play the role of the primary decision-makers of legality in cases of ambiguity, and users must have a mechanism of redressing actions

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by both the state and the platform. Coordinating platform commitments with human rights concepts would assist in avoiding excessive censure and maintain the plurality of dialogue on the Internet.

Lastly, Pakistan ought to incorporate control of social media in a wider framework of digital rights and governance. Introducing an all-encompassing data protection, converging cybercrime and content control laws, and consulting the population with civil society, media institutions, and technology specialists would add to more reasonable and acceptable regulation results. The key to coming up with a viable and sound solution to the issue of social media regulation lies in treating freedom of expression as a cornerstone of democracy and not a control inconvenience.

Conclusion

The paper has discussed how social media platforms are regulated in Pakistan by analyzing them in the context of legal design, institutional practice, and constitutional and international standards of freedom of expression. As the analysis shows, the state has valid concerns about solving the problem of online harm, misinformation, and security threats though the current regulatory framework is based on general legal standards, executive discretion, and secretive enforcement procedures that create a serious threat to the freedom of expression. The process of social media regulation in Pakistan has therefore been such that control and compliance take priority over transparency, proportionality and protection of rights.

The main finding of the present research is that the problems of the social media regulation in Pakistan are not incidental but structural. Indefinite legislative wording, wide-ranging delegation, restricted judicial observation, and utilization of privately hosted platforms as compliance mediators are all harmful to constitutional assurances in Articles 19 and Pakistan being a party to international human rights laws. These characteristics form a regulatory space where speech freedom is at risk of suppression, self-censorship is accepted, and discourse democracy is undermined.

The article also highlights that control over the social media in a good manner does not involve compromising the freedom of expression. Instead, the rights-respecting governance systems that prioritize the clarity of laws, their independent control, and procedural fairness can be more effective to counter the online harms but maintain the openness and legitimacy of the digital spaces. Reforming its model of regulation into the constitutional principles and international standards will enable Pakistan to create the social media governance model that could help to support not only the order of the population, but also the democratic roles.

To sum everything up, the future of social media regulation in Pakistan will remain in the ability or inability of pursuing legal and institutional reforms to redistribution the state power and individual rights in the digital sphere of the public. In the absence of such reforms, the practice of regulation will become entrenched in censorship and weaken constitutional values. Pakistan, together with them, can develop digital space where social media will act as an arena of healthy debate, responsibility, and the participation of diverse democratic groups in the democratic process.

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References:

Abbas, Z., Khan, R., Khan, M. Z., & Imran, M. (2023). Cyber laws and media censorship in Pakistan: an investigation of governmental tactics to curtail freedom of expression and right to privacy. Journal of Creative Communications, 09732586231206913.

Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In Comparative perspectives on the right to privacy: Pakistani and European experiences (pp. 99-126). Cham: Springer Nature Switzerland.

AGHA, S. (2024). Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security.

Ahmad, N., & Malik, M. E. (2020). Freedom Of Speech And Expression In The Contemporary World: A Case Study Of Pakistan And Limitations Of Article 19 Of The Constitution Of Pakistan, 1973. Journal of the Punjab University Historical Society, 33(02).

Aleem, Y. (2021). Broadcast Media, Regulation and Freedom of Expression in Pakistan. Global Legal Studies Review.

Ali, S. (2025). Digital Political Discourse in Pakistan: Legal Challenges of Online Hate Speech and Misinformation. Journal of Social Policy and Governance, 1(02), 48-58.

Arain, M. M., Rehman, T. U., Rafiu, A., & Ali, J. (2024). The Freedom of speech and expression in Pakistan. Law and Justice, 9(1), 188-204.

Arjumand, N. (2023). Critical appraisal of the regulatory framework of social media in Pakistan: Challenges and the way forward. Khyber Journal of Public Policy, 2(3).

Aslam, S., Ashraf, M. A., Mukhtar, M. A., & Ashraf, M. R. (2025). Balancing Free Speech and Counterterrorism: A Legal Analysis of Online Glorification Laws in Pakistan. Annual Methodological Archive Research Review, 3(5), 1-15.

Bashir, S., Zakir, M. H., Khan, S. H., & Ibrahim, S. (2025). The Impact of Social Media on Freedom of Speech and Privacy Rights. Journal of Regional Studies Review, 4(1), 304-315.

Iftikhar, I., Sultana, I., & Paracha, S. A. (2024). Balancing Act: Pakistan's Quest for Responsible Social Media Regulation. Pakistan JL Analysis & Wisdom, 3, 216.

Jamil, S. (2021). The rise of digital authoritarianism: Evolving threats to media and Internet freedoms in Pakistan. World of Media–Russian Journal of Journalism and Media Studies, 3, 5-33.

Javed, H., Ashraf, J., & Ashraf, S. J. (2025). The Regulation of Cyberbullying and Online Harassment: Analyze the Regulation of Cyberbullying and Online Harassment, Including Issues Related to Freedom of Expression, Anonymity and Accountability. Annual Methodological Archive Research Review, 3(6), 63-82.

Mahmood, S., Nasir, T., Fazal, I., & Razzaq, R. (2025). Juxtaposing Law, Media and Human Rights: Role of Social Media in Promoting Human Rights in Pakistan Case Study of Legal Reforms and Digital Activism. Dialogue Social Science Review (DSSR), 3(6), 639-661.

Mazhar, U., & Faheem, M. A. (2025). The case of X/Twitter in Pakistan: regulating

Online ISSN 3007-3197
Print ISSN 3007-3189

social media platforms. Emerald Emerging Markets Case Studies, 15(4), 1-9.

Muhib, M., Muhib, K., & Muhib, Z. (2025). Pakistan's Cyber Laws and International Legal Standards on Digital Rights. Policy Journal of Social Science Review, 3(3), 151-165.

Niazi, Z. K., Rehman, T. U., & Saraf, D. (2025). Digital dilemmas: Free speech, privacy, and state control in Pakistan's social media landscape. Wah Academia Journal of Social Sciences, 4(1), 1286-1300.

Noor, S. (2016). Social Media Challenges and Opportunities for Human Rights: A Case of Blasphemy Laws in Pakistan (Master's thesis, UiT Norges arktiske universitet).

Rashid, J., Asghar, M. S., Qamar, M. S., & Tabassum, M. B. (2024). Freedom of Speech and Expression in Pakistan.

Rehman, A. (2024). REGULATORY CHALLENGES IN DIGITAL CONTENT MODERATION: BALANCING FREEDOM OF EXPRESSION AND PUBLIC SAFETY. Global Media and Social Sciences Research Journal, 5(02), 61-73.

Shafiq, M. M. (2022). Framework for Social Media Regulations in Pakistan. Journal of Mass Communication Department, Dept of Mass Communication, University of Karachi, 26.

Shahzadi, A. I., & Fazail, A. (2025). Hate Speech, Freedom of Expression and Media Regulation. Social Science Review Archives, 3(4), 3372-3382.

Shahzadi, A. I., Fazail, A., & Hashmi, M. A. I. Regulating Online Speech: Legal and Ethical Challenges of Digital Journalism in Pakistan.

Zafar, S., & Irfan, M. M. (2025). Freedom of Expression vs. Misinformation Reconciling Human Rights with Digital Regulation. Social Science Review Archives, 3(4), 26-40.